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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/087,552	05/29/1998	JEFFREY C. HAWKINS	15886.169	9680

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EXAMINER

LE, HIEU C

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 03/01/2002

18

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/087,552

Applicant(s)

HAWKINS, JEFFREY C.

Examiner

Hieu c. Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 17, 18, 28, 29 and 33-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 17, 18, 28, 29 and 33-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 17                      6) ☐ Other: \_\_\_\_\_

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*Response to Amendment*

1. A request for continued examination under 37 CAR 1.114, including the fee set forth in 37 CAR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CAR 1.114, and the fee set forth in 37 CAR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CAR 1.114. Applicant's submission filed on 12/11/01 has been entered.

2. The Applicant's argument filed 12/11/01 have been fully considered but they are not persuasive for the following reasons:

As to claim 17, 28-29, Applicant alleges that "Pepe discloses that local proxy 56 creates a query script that specifies the type of compression [,]" (p. 6, lines 1-12). This argument is not persuasive. Pepe discloses the end user submits a standard web request. The query launched from browser is submitted to the local proxy (which is an application runs in the background on the user's terminal . The local proxy defines the type of compression to be used on the data object (col. 11, lines 35-40). The data object is not the data object supplied back to the user as explained (on col. 12, lines 33-38). The local proxy would parse through to find out what action was requested by the user extract the data object and then write the data object to the local file distribution, i.e the data object that is compressed is extracted from the action requested by the user (col. 12, lines 33-49).

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***Claim Rejections - 35 U.S.C. § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 43 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 43 recites "the display is contact- sensitive and wherein the processor receives user input by detecting contact to the display". There is no disclosure in the specification as originally filed of a contact- sensitive display and of the processor receives user input by detecting contact to the display. The specification discloses a conventional computer with a transceiver card (p. 5, lines 19-20).

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***Claim Rejections - 35 U.S.C. § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 17-18, 28-29, 33 and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al [U.S. Pat. No. 5,673,322] in view of De Boor et al. [US. Pat. No. 6,173,316].

As to claim 17, Pepe discloses a method for accessing data over a network using a wireless device, the method comprising:

- receiving a user input (col. 5; lines 53-61).
- in response to the user-input, executing the application to generate a compressed query (Fig. 5, col. 11, lines 35-42, col. 12, lines 33-39).
- sending the compressed query to proxy server external to the wireless device to cause the proxy server to request data from an Internet site (col. 6, lines 21-24);
- receiving a compressed response from the proxy server, the compressed response including data from the Internet site (col. 6, lines 26-29); and
- executing the application to process the compressed response in order to cause the data from the Internet site to be rendered on the wireless device from the compressed response (col. 8, lines 13-15).

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Pepe does not disclose executing a wireless application on the wireless device.

DeBoor discloses a method to provide a wireless communication device with a markup language machine interface. The various configurable parameters of the wireless communication device accessible via a config protocol. The wireless communication device setting are adjusted using form gadgets to specify the possible values for each setting (col. 26, lines 27-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use DeBoor's teachings to modify Pepe's method by using a wireless application in the wireless device in order to achieve a compact, portable, hand held wireless device with improved navigational method.

As to claim 28, refer to claim 17 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

As to claim 18, De boor further discloses wherein the method further includes:

-displaying a list of wireless applications on the wireless device (col. 11, lines 35-50);  
and where receiving a user input includes:

-receiving a user selection of the wireless application from the list of wireless applications displayed on the wireless device (col. 11, line 63-col. 12, line 3), and

-in response to the user selection, displaying a query form to allow a user to enter the user input (col. 30, lines 32-53).

As to claim 29, refer to claim 18 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

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As to claim 33, Pepe further discloses wherein executing the wireless application to generate a compressed query includes generating the compressed query in transport protocol (CTP) [Fig. 5, shows the local proxy on user's terminal generates a query in a compressed transport protocol (col.5, lines 54-57, col. 6, lines 1-9)].

As to claim 35, Pepe further discloses wherein executing the wireless application to render the data includes executing the application to use the compressed response without converting the compressed response to another protocol [Fig. 5 shows the local proxy on user's terminal receives a compressed response in transport protocol from the remote proxy, the local proxy retrieves the data from the compressed response and returns it to the browser (i.e. without converting the compressed response to another protocol) (col. 8, lines 9-15)].

As to claim 36, refer to claim 33 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

7. Claims 34, & 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pepe et al [U.S. Pat. No. 5,673,322] in view of De Boor et al. [US. Pat. No. 6,173,316] as applied to claim 17 above and 29 further in view of Kikinis [US. Pat. No. 5,727,159].

As to claim 34, neither Pepe nor De Boor discloses wherein executing the wireless application to generate a compressed query includes generating the compressed query in markup language (CML).

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Kikinis discloses a hand held device that downloads data from a proxy server and reduce the size of files (col. 3, lines 19-30). The files are translated into an H-lite language to reduce it's size and display it (col. 7, lines 6-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Kikinis's teachings to modify the combined method of Pepe, and DeBoor by using a compact makeup language to fetch the data from the proxy server and display it in order to transform the files downloaded from the web into a form quickly and easily displayable by the wireless device and to minimize bandwidth requirements for the link and speeds transmission of data.

As to claim 37, refer to claim 34 rejection for their common features. DeBoor further discloses a computer readable medium in a wireless device (Fig. 1).

8. Claims 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis [US. Pat. No. 5,727,159] in view of Pepe et al [U.S. Pat. No. 5,673,322] and further in view of De Boor et al. [US. Pat. No. 6,173,316].

As to claim 38, Kikinis discloses,

a display (Fig. 2, item 33),

a wireless communication mechanism (col. 5, lines 1-5),

a processor (Fig. 2, item 25) configured to:

receive a user input entered through execution of the application (Fig. 4, line step 76).



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communicate, without use of a local proxy within the portable computer, with a proxy server that is external to the portable computer by ( i) sending the query to the proxy server using the wireless communication mechanism and receiving a compressed response from the proxy server over the wireless communication mechanism; and (ii) receiving a compressing response from the proxy server over the wireless communication mechanism [Fig. 4 shows hand held unit 13 sends a request without using a local proxy in the unit 13 (Fig. 2) via a satellite link to a proxy server. The proxy server retrieves the HTML file and translate it to a form useable by hand held unit, a 60k/70k JPEG file becomes a 2k/4k bit map (col. 7, lines 17-24), i.e compress the data and send it to the user].

Kikinis does not disclose,  
execute a wireless application,  
generate a compressed a query using the wireless application;  
execute the wireless application to process the compressed response to cause the data from the Internet site to be rendered on the display from the compressed response.

Pepe discloses an interface between a computer and the Internet that communicate using wireless modem and generate a compressed query (Fig. 5, col. 11, lines 35-42, col. 12, lines 33-39).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kikinis according to Pepe's teachings by compressing the user's query sent to the remote proxy in order to reduce information density and minimizes bandwidth requirement of the wireless link.

Pepe does not disclose,  
execute a wireless application,  
execute the wireless application to process the compressed response to cause the data from the Internet site to be rendered on the display from the compressed response.

DeBoor discloses a method to provide a wireless communication device with a markup language machine interface. The various configurable parameters of the wireless communication device accessible via a config protocol. The wireless communication device setting are adjusted using form gadgets to specify the possible values for each setting (col. 26, lines 27-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use DeBoor's teachings to modify the combined system of Kikinis and Pepe by using a wireless application in the wireless device in order to achieve a compact, portable, hand held wireless device with improved navigational method.

As to claim 39, refer to claim 18 rejection.

As to claim 40, refer to claim 33 rejection.

As to claim 41, refer to claim 34 rejection.

As to claim 42, refer to claim 35 rejection.

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9. Claim 43 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikinis [US. Pat. No. 5,727,159] in view of Pepe et al [U.S. Pat. No. 5,673,322] in view of De Boor et al. [US. Pat. No. 6,173,316] as applied to claim 35 above and further in view of Lamming et al. [US. Pat. No. 6,144,997].

As to claim 43, [as best understood by the Examiner] Kikinis discloses that the wireless portable device is a PDA (col. 3, lines 33-35). Kikinis does not explicitly disclose wherein the display is contact- sensitive and wherein the processor receives user input by detecting contact to the display.

Lamming disclose a system of workstation coupled to portable devices carried by users. As shown in Fig. 2, screen so is a touch screen, user input by means of a finger tip.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Lamming's teachings to modify the combined system of Kikinis, Pepe, De Boor by using a touch screen display on hand held device that receives input from the user by touching the screen in order to reduce the size of portable hand held device by incorporating the input means in the display.


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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu Le whose telephone number is (703) 3 06-3101. The examiner can normally be reached on Monday to Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess, can be reached on (703) 305-4792. The fax phone number for this Group is (703)) 308-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is 703-305-3900.

*Hieu Le*

  
ARJO ETIENNE  
PRIMARY EXAMINER